

ARTICLE 18.5-03

LEGAL AND TAX ASSISTANCE

Chapter
18.5-03-01 General Provisions

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18.5-03-01-01. Types of assistance.

1. The board and the commissioner may provide legal and tax assistance and services to eligible farmers and small businesses, directly, in the form of contracting, to provide for representation, information and advice, research or consulting services, and paying for such services, or indirectly, in the form of contracting to provide for information and advice, research services, or consulting services, and paying for such services, to those persons who represent, give advice to, or counsel the farmer or small business.
2. The board and the commissioner may spend appropriated moneys, pursuant to North Dakota Century Code chapter 6-09.10, both for administration and provision of legal and tax assistance as is determined by them to address most effectively the needs of farmers experiencing farm credit and farm tax problems and small business persons whose business is experiencing legal and tax problems. The board and the commissioner may establish a priority system for spending such moneys.

History: Effective January 1, 1988.

General Authority: NDCC 6-09.10-09

Law Implemented: NDCC 6-09.10-08.1, 6-09.10-08.2

18.5-03-01-02. Coordinator. The board and the commissioner shall designate a coordinator for the legal and tax assistance program who is responsible for the day-to-day supervision and coordination of the assistance programs contracted for by them. The coordinator shall act only upon direction from the board and the commissioner to implement the provisions of North Dakota Century Code sections 6-09.10-08.1 through 6-09.10-08.5. The board and the

commissioner may adopt written policy procedures to aid the coordinator in administrative and supervisory activities.

History: Effective January 1, 1988.

General Authority: NDCC 6-09.10-09

Law Implemented: NDCC 6-09.10-08.1, 6-09.10-08.4, 6-09.10-08.5

18.5-03-01-03. Cooperation with coordinator. Any contractor providing legal and tax assistance pursuant to the provisions of North Dakota Century Code sections 6-09.10-08.1 through 6-09.10-08.5 shall cooperate with the coordinator by providing to the coordinator nonconfidential information concerning the results of research and other pertinent information, useful to farmers and small businesses as a whole in North Dakota. The coordinator shall share such research and information with the North Dakota school of law and with the North Dakota state university extension service, as well as other groups and associations with a demonstrated interest in farm and small business problems, so that such research and information may be widely disseminated throughout the state.

History: Effective January 1, 1988.

General Authority: NDCC 6-09.10-09

Law Implemented: NDCC 6-09.10-08.1, 6-09.10-08.2, 6-09.10-08.5

18.5-03-01-04. Consultation with attorneys. The board and the commissioner may consult with a panel of attorneys, including attorneys in private practice, before funding or participating in a lawsuit that has substantial impact on farmers or small businesses as a whole in North Dakota.

History: Effective January 1, 1988.

General Authority: NDCC 6-09.10-09

Law Implemented: NDCC 6-09.10-08.1, 6-09.10-08.2

18.5-03-01-05. Written payment policy. The board shall adopt a written policy, to be implemented by the coordinator, for payment of assistance pursuant to North Dakota Century Code section 6-09.10-08.4. The policy must also deal with adequate recordkeeping of such payment.

History: Effective January 1, 1988.

General Authority: NDCC 6-09.10-09

Law Implemented: NDCC 6-09.10-08.4